

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

THOMAS DAVIS,	)
Petitioner	)
	)
vs.	) Civil Action No. 09-1452
	) Chief U.S. District Judge Gary L. Lancaster/
	) Chief U.S. Magistrate Judge Amy Reynolds Hay
THE COUNTY OF ALLEGHENY and its	)
agencies; OFFICE OF DISTRICT	)
ATTORNEY; OFFICE OF PUBLIC	)
DEFENDER,	)
Respondents	)

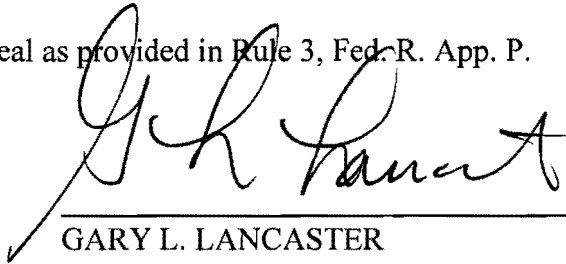
**ORDER**

AND NOW, this 10<sup>th</sup> day of December, 2009, after the Petitioner, Thomas Davis, filed an action in the above-captioned case, and after a Report and Recommendation was filed by the United States Magistrate Judge granting the parties until November 30, 2009, to file written objections thereto, and upon consideration of the objections filed by Petitioner, which are without merit, and upon independent review of the record, and upon consideration of the Magistrate Judge's Report and Recommendation, which is adopted as the opinion of this Court,

IT IS HEREBY ORDERED that the habeas petition, ostensibly filed pursuant to 28 U.S.C. § 2241, is DISMISSED.

IT IS FURTHER ORDERED that, to the extent one is needed, a certificate of appealability is DENIED.

IT IS FURTHER ORDERED that, pursuant to Rule 4(a)(1) of the Federal Rules of Appellate Procedure, if the Petitioner desires to appeal from this Order he must do so within thirty (30) days by filing a notice of appeal as provided in Rule 3, Fed. R. App. P.

A handwritten signature in black ink, appearing to read "G. L. Lancaster", is written over a horizontal line.

GARY L. LANCASTER  
Chief United States District Judge

cc: Honorable Amy Reynolds Hay  
United States Magistrate Judge

Thomas Davis  
BZ-9982  
SCI Mercer  
801 Butler Pike  
Mercer, PA 16137

All Counsel of Record by electronic filing